

# EXHIBIT 1



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 SPEAKER OF THE HOUSE OF REPRESENTATIVES

  
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 SPEAKER OF THE SENATE

APPROVED this 14th day of April 19 87

  
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 GOVERNOR

CHAPTER NO. 163

HOUSE BILL NO. 841

By Rhinehart

Substituted for: Senate Bill No. 1005

By Hamilton, Atchley, Moore Mr. Speaker Wilder

AN ACT to create the office of Management Information Systems for the General Assembly and to amend Tennessee Code Annotated, Title 3, Chapter 10 for such purpose.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 3, Chapter 10, is amended by adding Sections 2 through 10 of this Act as a new Part 2.

SECTION 2. There is created the office of Management Information Systems for the General Assembly which shall have the following duties:

- (1) To operate an automated data processing center and perform computing and programing services as are required for data processing applications by the members of the General Assembly, the legislative committees, the offices of legislative administration, legislative services and legal services, the Clerks of the Senate and House of Representatives, and the fiscal review committee in the performing of their respective duties;
- (2) To cooperate and consult with the chief clerk of the Senate, the chief clerk of the House of Representatives, the directors of all offices under the control of the committee in developing and maintaining computer programs and services required for the operation of such offices;

(3) To advise the joint Legislative Services Committee on matters relating to computer services and computer needs and uses of the legislative computer system;

(4) To maintain on its electronic data processing equipment the complete text of Tennessee Code Annotated for the use of the General Assembly and its staff and the Tennessee Code Commission and its staff;

(5) To coordinate and administer the scheduling and use of computer programs and machine time to facilitate application of computer and other office machine technology for the storing and retrieving all of the financial, factual, procedural, legal and other information necessary to serve all of the committees, officers and agencies of the General Assembly; and

(6) To perform all other duties the joint Legislative Services Committee, the Speakers, or the General Assembly may deem essential to the efficient operation of the legislative branch.

SECTION 3. The joint Legislative Services Committee shall appoint, subject to the approval of the Speaker of the Senate and the Speaker of the House of Representatives, a director of Management Information Systems who shall be a graduate of an accredited college or university and shall have not less than five (5) years of practical experience in computer technology, including administrative and technical responsibility for developing and implementing a computer oriented data processing system. The director and other personnel shall be chosen without reference to the party affiliation but solely on the basis of fitness to perform the duties of the office. The director shall serve at the pleasure of the committee. The committee shall determine the compensation of the director, while the compensation of other personnel shall be determined by the committee upon recommendation of the director. Personnel shall be employed on recommendation of the director with the approval of the Speakers.

SECTION 4. The joint Legislative Services Committee shall, through the office of Management Information Systems, control, operate, and maintain the legislative computer system and the use of electronic data processing equipment in the legislative branch. The committee shall adopt policies, procedures, and guidelines for such system. The provisions of Tennessee Code Annotated, Section 3-10-104, shall be applicable to such policies, procedures, and guidelines.

SECTION 5. Suitable office space and facilities shall be provided in Nashville convenient to the General Assembly.

SECTION 6. Tennessee Code Annotated, Section 3-10-105(a), is amended by deleting the following language:

"The office of legislative services, the office of legal services, and the office of legislative administration established by Sections 3-11-101, 3-12-101 and 3-13-101"

and by substituting instead the following:

The office of legislative services, the office of legal services, the office of legislative administration, and the office of Management Information Systems established by Sections 3-11-101, 3-12-101, 3-13-101 and Section 2 of this Act, respectively.

Tennessee Code Annotated, Section 3-10-105, is further amended in subsection (b) by inserting after the words "services" and before the words "and the office" the words "the office of Management Information Systems".

SECTION 7. (a) A select advisory council on legislative Management Information Systems may be appointed by the Speaker of the Senate and the Speaker of the House of Representatives. Such council shall be composed of an equal number of members of the Senate and the House of Representatives as the Speakers shall determine, and the clerks shall serve as ex-officio non-voting members of the advisory council. The legislative members shall be appointed in the same manner as the members of the joint Legislative Services Committee.

The select advisory council shall advise the speakers and the joint Legislative Services Committee on policies and procedures relative to the electronic data processing system and services, provided by the legislative Management Information System.

(b) There is created a staff user group which shall be composed of nine (9) members. The chief clerk of the Senate and the chief clerk of the House of Representatives shall be members and shall serve as co-chairmen of the group. The other members of the staff user group shall be the director of the office of legislative administration, the director of the office of legal services, the director of the office of legislative services, the director of the office of Management Information Services, the executive director of the fiscal review committee, and one secretary from a standing committee of each House to be appointed by the respective Speakers. The staff user group may advise the Speakers, the joint Legislative Services Committee, and the select advisory council on policies and procedures relative to the electronic data processing system.

SECTION 8. The joint Legislative Services Committee shall consider each application for direct access to the legislative computer system in which confidential information is stored or processed, or that is connected to another computer in which confidential information is stored or processed, and solely shall determine whether or not to permit direct access by the applicant. Direct access to such a computer may not be permitted unless protection of any confidential information is ensured. The provisions of Tennessee Code Annotated, Section 10-7-503, shall not apply to records or information otherwise available in printed form or to information or records otherwise exempt from the provisions of Tennessee Code Annotated, Section 10-7-503.

If public information is stored in a computer-readable form, the committee has exclusive authority to determine the form in which the information will be reproduced for the requestor of the information; provided, however, the reproduction, publication, and sale of Tennessee Code Annotated in any form, in whole or in part, shall be pursuant to the provisions of Tennessee Code Annotated, Title 1, Chapter 1. If access to such public information is also available in printed form, it need not be provided in an electronic readable form.

The committee shall designate the terminals, if any, at which public access is given to public information. The data processing equipment located in the offices of members of the General Assembly and legislative staff need not provide such access if not so designated by the committee.

#### SECTION 9.

(a) It shall be unlawful for any person to intentionally or knowingly gain access to information stored or maintained in a computer under the control of the joint Legislative Services Committee if it is not lawful for such person to have access and such person is also not authorized by such committee to have access to that information.

(b) It shall be unlawful for a person to intentionally, knowingly, or recklessly damage, destroy, delete, or alter, or impair access to or use of, information stored or maintained in a computer under the control of the joint

Legislative Services Committee if such person is not authorized by such committee to do so.

(c) Any person guilty of the violation of this section shall be guilty of a misdemeanor and punishable as such.

SECTION 10. This Act shall take effect on becoming a law, the public welfare requiring it.

PASSED: April 6, 1987

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

  
SPEAKER OF THE SENATE

APPROVED this 14<sup>th</sup> day of April 19 87

  
GOVERNOR

**CHAPTER NO. 164**  
**HOUSE BILL NO. 889**

By Kernell

Substituted for: Senate Bill No. 1008

By Cohen, Ford

AN ACT relative to transportation of alcoholic beverages, and to amend Tennessee Code Annotated, Title 39, Chapter 6, and Title 57, Chapter 3.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-6-909, is amended by adding the following new subsection (c) and relettering subsequent subsections accordingly:

(c) The provisions of this section shall not apply to any person receiving,